

# EXHIBIT 5

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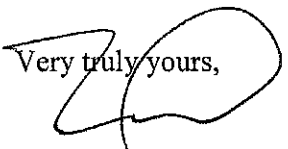
Jon D. Derrevere, Esq.  
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Re: *Fireman's Fund Insurance Company v. Gerling America Insurance Company*,  
U.S. District Court for the Northern District of California,  
Case No.: 3:07-cv-06302-CRB

Dear Jon:

This correspondence confirms our telephone conversation of June 4, 2008 regarding the letter dated May 14, 2007 drafted by Andrew Spector on behalf of Gerling America Insurance Company addressed to a representative of Gencor Industries, Inc. As we discussed, Mr. Spector incorrectly stated that "Gerling has already made payments of \$750,000 on products-completed operations cases relating to damages incurred during the applicable policy period." In actuality, Gerling has paid approximately \$770,000 in claims under the Gencor policy since June 1998. During the policy period at issue in this case, June 2000 to June 2001, Gerling has paid \$15,000.

Very truly yours,

  
TINO X. DO  
For the Firm